

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA §
 §
 §
v. § NO. 4:12CR155
 § Judge Schell
ANSON CHI §

**GOVERNMENT'S MOTION FOR AN ORDER DESIGNATING CASE
COMPLEX UNDER 18 U.S.C. § 3161(h)(7)(B)(ii) AND CONTINUANCE UNTIL THE
COURT'S FIRST AVAILABLE SPECIAL SETTING FOR TRIAL**

The United States of America, through the United States Attorney for the Eastern District of Texas, respectfully requests the Court to designate this case complex under 18 U.S.C. § 3161(h)(7)(B)(ii) and continue this case until the matter is specially set at the court's first available trial date.

On June 17, 2012, the defendant, Anson Chi, ignited an improvised explosive device ("IED") composed of chemicals believed to be myethyl nitrate. The defendant ignited the explosive on a natural gas pipeline belonging to Atmos Energy. The defendant was injured in the explosion and was taken to the hospital from the scene.

On February 14, 2013, a federal grand jury for the Eastern District of Texas returned a three count superseding indictment charging the defendant with, (1) a violation of 26 U.S.C. §§ 5841, 5845, 5861(d) and 5871, possession of a firearm not registered in the National Registration and Transfer Record; (2) a violation of 18 U.S.C. § 844(i), malicious use of

explosive materials; and (3) a violation of 18 U.S.C. § 924(c)(1)(B)(ii), use or carrying a destructive device during a crime of violence.

Along with other evidence, this case is based upon chemical, computer and medical analysis. The chemicals alleged to have been used in manufacturing the explosive in this case were acquired over a period of time. The defendant's acquisition and mixture of various chemicals for use as an explosive device required internet research as well as multiple purchases from different suppliers. Computer forensics analysis on this research include voluminous records. Further, reports generated by the FBI on the collection of these chemicals and their chemical analysis by the Federal Bureau of Investigations Laboratory Division are voluminous and will require additional time to review by the defense or any expert employed by the defense to review the collection and analysis. In addition to the chemical and computer records, there are voluminous medical records related to the defendant's post-explosion injuries that require additional time to review. Due to these factors, the discovery is lengthy and United States believes additional time is needed to complete the discovery process.

Due to the nature of this case and the significant amount of time needed for discovery in this case, the government believes it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits of the Speedy Trial Act. This motion is made not for delay but so that justice may be done. Accordingly, the government requests that the Court designate this a complex case under 18 U.S.C. §§ 3161(h)(7)(B)(ii) and continue this case until the matter is specially set at the court's first available trial date.

Respectfully submitted,

JOHN M. BALES
UNITED STATES ATTORNEY

/s/

M. ANDREW STOVER
Assistant United States Attorney
Texas Bar # 19349300
101 East Park Blvd., Ste. 500
Plano, TX 75074
Tel: 972/509-1201, Fax: 972/509-1209
andrew.stover@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the foregoing will be served by electronic filing by CM/EDF to the attorney for defendant on the 29th day of May, 2013.

/s/

M. ANDREW STOVER

CERTIFICATE OF CONFERENCE

I hereby certify the Government contacted Brook Busbee, attorney for the defendant, on May 1, 2013 regarding this motion and she had no objection to the court granting this motion. Certified on this 29th day of May, 2013.

/s/

M. ANDREW STOVER